

10/02/00

Express Mail Label No. EL739621092US

32101 A

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

9748BZ

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

### **A PROTEINASE INHIBITOR, PRECURSOR THEREOF AND GENETIC SEQUENCES ENCODING SAME**

and invented by:

Marilyn A. Anderson, et al.

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: 09/431,500

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: 08/454,295

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

#### **Application Elements**

1.  Filing fee as calculated and transmitted as described below
  
2.  Specification having 48 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (if applicable)
  - c.  Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d.  Reference to Microfiche Appendix (if applicable)
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (if drawings filed)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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## Application Elements (Continued)

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)
  - a.  Formal Number of Sheets \_\_\_\_\_
  - b.  Informal Number of Sheets 20
4.  Oath or Declaration
  - a.  Newly executed (*original or copy*)  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  Computer Program in Microfiche (*Appendix*)
7.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
  - a.  Paper Copy
  - b.  Computer Readable Copy (*identical to computer copy*)
  - c.  Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8.  Assignment Papers (*cover sheet & document(s)*)
9.  37 CFR 3.73(B) Statement (*when there is an assignee*)
10.  English Translation Document (*if applicable*)
11.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
12.  Preliminary Amendment
13.  Acknowledgment postcard
14.  Certificate of Mailing

First Class  Express Mail (*Specify Label No.*): EL739621092US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
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Total Pages in this Submission

**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Additional Enclosures (*please identify below:*)

Request To Use Computer Readable Form of Sequence Listing  
From Another Application Under 37 C.F.R. 1.821(e)

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
9748BZ

Total Pages in this Submission

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
<b>Total Claims</b>	5	- 20 =	0	x \$18.00	\$0.00
<b>Indep. Claims</b>	1	- 3 =	0	x \$80.00	\$0.00
<b>Multiple Dependent Claims (check if applicable)</b>					\$0.00
Pls. calculate claims as amended by Preliminary Amendment				<b>BASIC FEE</b>	\$710.00
<b>OTHER FEE (specify purpose)</b>					\$0.00
				<b>TOTAL FILING FEE</b>	\$710.00

A check in the amount of \$710.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. A duplicate copy of this sheet is enclosed.

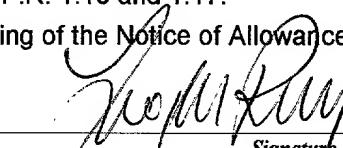
Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: March 20, 2001

  
Signature  
Leopold Presser  
Registration No. 19,827

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Marilyn A. Anderson, et al.

Docket No.

9748ZB

Serial No.

To be assigned

Filing Date

Herewith

Examiner

Unassigned

Group Art Unit

Unassigned

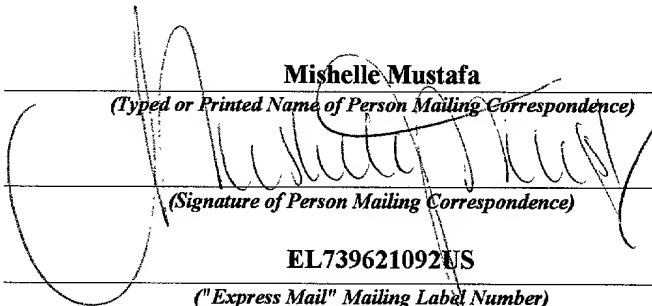
Invention: **A PROTEINASE INHIBITOR, PRECURSOR THEREOF AND GENETIC SEQUENCES ENCODING SAME**

J1036 U.S. PRO  
09/12502  
03/20/01

I hereby certify that the following correspondence:

**New Patent Application (Continuation)***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

March 20, 2001*(Date)*  
Mishelle Mustafa*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*

EL739621092US

*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Marilyn A. Anderson,  
et al. **Examiner:** To Be Assigned

**Serial No.:** To Be Assigned **Art Unit:** To Be Assigned

**Filing Date:** Herewith **Docket:** 9748BZ

**For:** PROTEINASE INHIBITOR,  
PRECURSOR THEREOF AND GENETIC  
SEQUENCES ENCODING SAME **Dated:** March 20, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

J1036 U.S12502  
03/20/01  
PRO

**REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE  
LISTING FROM ANOTHER APPLICATION UNDER 37 C.F.R. §1.821(e)**

Sir:

The computer readable form of the Sequence Listing in the above-identified patent application is identical to that filed in the Amendment on September 18, 2000 in Application Serial Number 09/431,500, filed on November 1, 1999. In accordance with 37 C.F.R. §1.821(e), Applicants respectfully request that the computer readable form filed in Application Number 09/431,500 be used as the computer readable form in the

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 C.F.R. 1.10)**

"Express Mail" Mailing Label Number: EL739621092US  
Date of Deposit: March 20, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dated: March 20, 2001

  
Mishelle Mustafa

above-identified application.

It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form used in the above-identified application. A paper copy of the Sequence Listing is included in the specification of the present application.

Accordingly, the present application is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



Frank S. DiGiglio  
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
FSD/XZ:lf

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** Marilyn A. Anderson, et al.

**Examiner:** Unassigned

**Serial No:** To be assigned

**Art Unit:** Unassigned

**Filed:** Herewith

**Docket:** 9748BZ

**For:** PROTEINASE INHIBITOR,  
PRECURSOR THEREOF AND GENETIC  
SEQUENCES ENCODING SAME

**Dated:** March 20, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §1.821(f)

Sir:

I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §§1.821(c) and (e), respectively, are the same.

Respectfully submitted,

Frank S. DiGiglio  
Registration No. 31,346

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

FSD:XZ:lf

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EL739621092US

Date of Deposit: March 20, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dated: March 20, 2001

Mishelle Mustafa